

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

FAIRLEY GUILLORY, Individually	\$	
and On Behalf of All Others	\$	
Similarly Situated,	\$	
	\$	
Plaintiffs,	\$	
	\$	
v.	\$	CIVIL ACTION NO. H-11-4377
	\$	
PF&B MANAGEMENT, LP d/b/a REEF	\$	
RESTAURANT; PF&B MANAGEMENT GP,	\$	
LLC; WILLIAM H. FLOYD,	\$	
Individually and d/b/a REEF	\$	
RESTAURANT; and BRIAN C.	\$	
CASWELL, Individually and d/b/a	\$	
REEF RESTAURANT,	\$	
	\$	
Defendants.	\$	

ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION

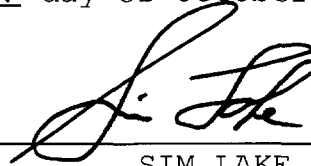
Having reviewed the Magistrate Judge's Memorandum and Recommendation entered on September 14, 2012, and the objections thereto, the court is of the opinion that said Memorandum and Recommendation should be **ADOPTED**.

It is, therefore, **ORDERED** that the Memorandum and Recommendation is hereby **ADOPTED** by this court.

A class is conditionally certified for all current and former waiters and waitresses employed by Defendants at Reef Restaurant, for whom Defendants took a tip credit in the past three years. The certification notice should issue in a form consistent with the Memorandum and Recommendation within the time period allotted therein.

The Clerk shall send copies of this Order to the respective parties.

SIGNED at Houston, Texas, this 22~~nd~~ day of October, 2012.

A handwritten signature in black ink, appearing to read "Sim Lake", written over a horizontal line.

SIM LAKE
UNITED STATES DISTRICT JUDGE